

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:

ACR MANAGEMENT, L.L.C., et al.,

Debtors.

ACR MANAGEMENT, L.L.C., et al.,

Movants,

v.

Case No. 04-27848-MBM

Chapter 11

(Jointly Administered)

**Related to Documents: 20, 56, 167,
192, 193, 219, 288, 292, 294, 304, 326,
328, 329, 340, 368, 369, 427**

NO RESPONDENT.

AMENDED STATEMENT OF ISSUES

Ray G. Anthony, Appellant, pursuant to Federal Rule of Bankruptcy Procedure 8006, hereby files the following **AMENDED STATEMENT OF ISSUES** to be presented on appeal of the Order of Court dated August 10, 2004 which denied the Appellant's Motion for Reconsideration of the Final Order dated July 14, 2004 (I) Approving Postpetition Financing and Authorizing Use of Cash Collateral; (II) Granting Liens and Super-Priority Administrative Expense Status Pursuant to 11 U.S.C. Sections 364(c) and (d); (III) Granting Adequate Protection Pursuant to 11 U.S.C. Sections 363, 364 and 507 (B); and (IV) Modifying the Automatic Stay.

1. Whether the Bankruptcy Court erred in approving the Final Order dated July 14, 2004, (I) Approving Postpetition Financing and Authorizing Use of Cash Collateral; (II) Granting Liens and Super-Priority Administrative Expense Status Pursuant to 11 U.S.C. Sections 364(c) and (d); (III) Granting Adequate Protection Pursuant to 11 U.S.C. Sections 363, 364 and 507 (B); and (IV) Modifying the Automatic

Stay which provided that only the Unsecured Creditor's Committee has the right to file an adversary proceeding or commence a contested matter "challenging the amount, validity, enforceability, perfection or priority" of the secured creditor claims as set forth in that Final Order at item 9. (vii.)(a.)(b.).

2. Whether the Bankruptcy Court erred in denying appellant's Motion for Reconsideration of the Final Order dated July 14, 2004 (I) Approving Postpetition Financing and Authorizing Use of Cash Collateral; (II) Granting Liens and Super-Priority Administrative Expense Status Pursuant to 11 U.S.C. Sections 364(c) and (d); (III) Granting Adequate Protection Pursuant to 11 U.S.C. Sections 363, 364 and 507 (B); and (IV) Modifying the Automatic Stay.

DATE: 8/31/04

Respectfully Submitted,

/s/ Robert O Lampl
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328, 329, 340, 368, 369, 427**

NO RESPONDENT.

CERTIFICATE OF SERVICE

I, Robert O Lampl and John P. Lacher, hereby certify, that on the 31st
day of August, 2004, I served a true and correct copy of the foregoing **AMENDED**

STATEMENT OF ISSUES upon the following:

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